REMARKS / ARGUMENTS

This application is believed to be in condition for allowance because the claims are believed to be non-obvious and patentable over the cited references. The following paragraphs provide the justification for this belief. In view of the following reasoning for allowance, the Applicant hereby respectfully requests further examination and reconsideration of the subject patent application.

1.0 Rejections under 35 U.S.C. §102(e):

In the Office Action of March 3, 2005, claims 1-9, and 12-20 were rejected under 35 U.S.C. §102(e), as being anticipated by Burge, et al. ("*Burge*," U.S. Patent No. 6,014,638). A rejection under 35 U.S.C. §102(e) requires that the Applicant's invention was described in patent granted on an application for patent by another filed in the United States before the invention thereof by the Applicant. To establish that a patent describes the Applicant's invention, *all of the claimed elements of an Applicant's invention must be considered, especially where they are missing from the prior art*. If a claimed element is not taught in the referenced patent, then a rejection under 35 U.S.C. §102(e) is not proper, as the Applicant's invention can be shown to be patentably distinct from the cited reference. In view of the following discussion, the Applicants will show that one or more elements of the Applicants claimed invention are missing from the cited art, and that the Applicants invention is therefore patentable over that cited art.

1.1 Rejection of Claims 1-9: .

The Office Action rejected independent claim 1 under 35 U.S.C. §102(e) based on the rationale that the *Burge* reference discloses the Applicants' claimed "...system for automatically generating at least one web page ..." However, the Applicants respectively suggest that independent claim 1 is patentably distinct from the cited reference.

In particular, in rejecting claim 1 over the **Burge** reference, the Office Action suggests, in part, that **Burge** teaches a system:

> "wherein each web page generation script includes a plurality of unique entry points addressable by each local client computer (col. 6, lines 37-43, 'Initially the user may be given... relating to the selected topic,' *Examiner interprets the fact that the Browse/Purchase process 14 presenting a plurality of displays (or web pages) to the user 10 inherently includes a plurality of unique entry points since each display is a different URL and each URL is an entry point as defined in the current application on page 6 lines 24-26.)*"

In other words, the Office Action is suggesting, among other things, that the alleged capability of the **Burge** reference to access various web pages or "displays" via selection of particular URL's, hyperlinks, or other navigational buttons displayed on a web page, is equivalent to the Applicants claimed system "wherein each web page generation script *includes a plurality of unique entry points addressable by each local client computer*" (emphasis added). The Office Action then specifically characterizes the Applicants claimed invention by suggesting that "*each display is a different URL and each URL is an entry point as defined in the current application on page 6 lines 24-26.*" As discussed in further detail below, the Applicants respectfully suggest that the Office Action has incorrectly characterized both the **Burge** reference, and the Applicants' claimed invention, and that the Examiner's interpretation of the current application, as cited above, is in error.

In general, the **Burge** reference discloses a system for creating customized web pages *based on an analysis of data collected regarding a user's navigational history and choices on one or more web sites* (see abstract). These customized web pages are constructed, in part by first retrieving information relating to the web browsing history of particular clients which is stored in one or more databases. This

retrieved information is then used in populating the displays that are provided to the user (see col. 3, lines 45-65).

Further, as noted above, the Office Action offers col. 6, lines 37-43 in suggesting the **Burge** teaches "wherein each web page generation script includes a plurality of unique entry points addressable by each local client computer." However, a review of the surrounding text of the **Burge** reference, including col. 6, lines 32-48, as cited below, provides a better understanding of what **Burge** is describing. In particular, col. 6, lines 32-48, of the **Burge** reference explains the following:

> "***Displays from which the user 10 may make selections are developed by the Browse/Purchase process 14*** of the electronic shopping manager. In some instances, the Browse/Purchase process may access a database containing information about specific products and services offered by merchants 22. Initially, the ***user may be given the opportunity to select from a list of options*** arranged according to general topics, categories, or areas of interest such as clothing, home, electronics, etc. ***Subsequent displays*** as developed by the Browse/Purchase process 14 of the electronic shopping manager ***may present additional options relating to the selected topic.*** For example, after selecting "electronics," the user may be presented with a display with options for traversing directly to one of four electronics merchant sites. Alternatively, the user may traverse directly to a specific merchant's site by entering an identifier (e.g., name or product) associated with a merchant."

In other words, the cited text explains that various "displays" are provided to the user, with those displays providing opportunities for the user to select from one or more options, presumably via conventional dropdowns, radio boxes, check boxes, hyperlinks, manual user entry of "identifiers... associated with a merchant" in a text entry field, etc.

Once the user has made a selection, a new display (or web page) is returned based on that user selection. In addition, as noted above, the displays provided by *Burge* may also be customized based on the past selection history or browsing behavior of the user.

It should be noted that the manual user selections described by the *Burge* reference are *not "a plurality of unique entry points* addressable by each local client computer" as described and claimed by the Applicants. In fact, it appears that these user "selections" are simply hyperlinks, or the equivalent, which provides direct access to a web page or "display" that may or may not have been previously customized (via a "predictive model" as discussed in further detail below) based on past user selections and browsing history. Consequently, it appears that the Office Action has confused the capability of *Burge* to provide a display based on a user selection, possibly as modified by past user selection history, with the system described and claimed by the Applicants.

In particular, in stark contrast to the position advanced by the Office Action, the Applicants are describing and claiming a system wherein a "Web Component," or web page generation script, uses the *same script and HTML for all implementations or instantiations* of the Web Component regardless of which, or how many, unique local clients make use of the Web Component. This code reuse is accomplished by using entry web pages, or "entry points," to set the value of function properties or parameters of the Web Component for dynamically and automatically generating a web page (see page 2, lines 15-13 of the Specification, and claim 1). In other words, as described by the Applicants on page 20, lines 25-27 "entry points are simply URL's or addresses, with or without parameters appended to the URL, used to call the" web page generation script.

One clear advantage of such code reuse over the system described by *Burge* is the ability to provide for multiple unique web pages with one common script, rather than requiring separately coded scripts, or web page coding generated in response to

manually entered user search criteria. Furthermore, it should be noted that the *Burge* reference requires tracking and analysis of a user's selection and browsing history for customizing displays, which are then provided to the user in response to a particular user selection. Again, it should be clear that the user selections described by *Burge* are *not* unique entry points to a *web page generation script*, but rather they are basically hyperlinks to individual uniquely scripted web pages.

Further, as is well known to those skilled in the art, many users find the tracking of personal information, such as selections and browsing history, to be highly intrusive and offensive. In fact, such user tracking is frequently the object of "spyware" that is often clandestinely installed on user's computers, and used to push targeted advertising to user's displays while browsing the Internet. It should be clear that unlike the system described by *Burge*, the system described and claimed by the Applicants does *not* require tracking of user selections and browsing history.

In other words, the *Burge* reference requires a client to manually select particular options, with that selection then being used to call particular web pages, which may or may not have been customized based on the user's tracked history. In contrast, the Applicants describe and claim a system wherein a customized web page is automatically created, *using predefined code*, as a function of which of a plurality of unique *entry points* is addressed by the user. Clearly, creating a customized web page by addressing a particular entry point, as described and claimed by the Applicants, is *not* equivalent to the manual selection of a link to a web page or display which may or may not have been customized based on user's tracked history. Therefore, it should be clear that in view of the preceding discussion, that the claimed limitations relating to the plurality of unique entry points to the web page generation script are *not* disclosed by the *Burge* reference.

Further, it also appears that the Office Action has improperly characterized another part of the *Burge* reference in attempting to suggest that *Burge* teaches the

applicants claimed element of "automatically generating the at least *one unique web page* by setting at least one of the variable function parameters of at least one of the web page generation scripts *depending upon which entry point is addressed* by in response to a communication from at least one local client computer to the remote server," emphasis added.

In particular, the Office Action suggests that the aforementioned element relating to "generating the at least one unique web page" is disclosed by col. 9, line 54 to col. 10, line 13, and col. 7, lines 32-37 of the *Burge* reference. However, col. 9, line 54 to col. 10, line 13 of the *Burge* reference clearly explains that:

> "Following determination by the predictive model... a customized display is created... The customized display contains specific merchant information related to the actual display characteristics determined by the predictive model... For example, if the display is to contain options for accessing merchant sites of five casual clothing merchants, the Merchant Goods and Services Database 22 may be queried to retrieve five rectangular graphical buttons associated with specific merchants that may then appear on the display. Preferably, the processes of determining actual display characteristics 30 and customizing displays 48 are separated so that the modeling is not influenced by specific merchant data. Using this approach, information regarding specific merchants may be modified, deleted, or added without affecting the predictive model although information regarding the types and numbers of participating merchants may be updated in the Merchant Options Database 34. Furthermore, content related to other topics, categories, and areas of interest may be retrieved and adapted to the actual display characteristics."

In other words, *Burge* uses a "predictive model" to generate displays or web pages that are customized in response to the user's predicted likes and dislikes as a function of the user's tracked history. These customized pages or displays are then provided to the user in response to user selection of a particular option on an existing web page. Clearly, *Burge* is not describing a system for "automatically generating the at least *one unique web page* by setting at least one of the variable function parameters of at least one of the web page generation scripts *depending upon which entry point is addressed* by in response to a communication from at least one local client computer to the remote server," emphasis added, as described and claimed by the Applicants.

In addition, with respect to col. 7, lines 32-37 of the *Burge* reference, that text reads in its entirety:

> "The navigational inputs are unique to each shopper and are unique for each shopping session. As shoppers navigate through various sites, they build unique identities for themselves because *no two shoppers are likely to both set the same display preferences and take the same paths* (i.e., make the same user selections) while shopping" (emphasis added).

When read in the context of the preceding text, including col. 7, lines 19-37, it is clear that *Burge* is describing the type of data, including "navigational inputs" that is collected and subsequently fed to the "predictive model." As noted above, this "predictive model" is then used in constructing web pages or "displays" which are provided to the user in response to *subsequent* user selections. Again, it should be clear that this is *not* what is being described and claimed by the Applicants.

Clearly, the claimed system is neither disclosed, nor in any way rendered obvious, by the cited *Burge* reference. Consequently, in view of the preceding

discussion, it is clear that the present invention, as claimed by independent claim 1 has elements not disclosed in the *Burge* reference. Consequently, the rejection of claim 1 under 35 U.S.C. §102(e) is not proper. Therefore, the Applicant respectfully traverses the rejection of claim 1, and thus of dependent claims 2-9, and respectfully requests reconsideration of the rejection of claims 1-9 under 35 U.S.C. §102(e) in view of the language of claim 1. In particular, claim 1 recites the following novel language:

> "A system for automatically generating at least one web page comprising:
>
> running at least one *web page generation script on a remote server* computer;
>
> wherein each web page generation script includes at least one encapsulated web-based function for defining at least one characteristic of each automatically generated web page, and wherein each web-based function further includes at least one variable function parameter;
>
> wherein *each web page generation script includes a plurality of unique entry points* addressable by each local client computer;
>
> automatically generating the at least *one unique web page* by setting at least one of the variable function parameters of at least one of the web page generation scripts *depending upon which entry point is addressed* by in response to a communication from at least one local client computer to the remote server; and
>
> automatically transmitting each automatically generated web page from the remote server to the local client." (emphasis added)

1.2   Rejection of Claims 12-17:

The Office Action rejected independent claim 12 under 35 U.S.C. §102(e) based on the rationale that the *Burge* reference teaches the Applicant's claimed process for

automatically generating least one web page. However, the Applicants respectively suggest that independent claim 12 is patentably distinct from the cited reference.

As with independent claim 1, independent claim 12 provides for "a web page generation script having **two or more pre-defined entry points**" (emphasis added). Consequently, the limitations of claim 12 are similar to the limitations of independent claim 1, with respect to the use of multiple entry points to a web page generation script for automatically generating unique web pages as a function of which entry point is addressed. Therefore, the discussion provided above with respect to claim 1 also fully applies to the discussion of the rejection of claim 12, with respect to these limitations.

Specifically, as with claim 1, in rejecting claim 12, the Office Action again suggests that col. 6, lines 37-43 of the **Burge** reference teaches "a dynamic web page generation script having two or more pre-defined entry points..." However, as discussed above, the cited text explains that various "displays" are provided to the user, with those displays providing opportunities for the user to select from one or more options. Once the user has made a selection, a new display (or web page) is returned based on that user selection. In addition, as noted above, the displays provided by **Burge** may also be customized based on the past selection history or browsing behavior of the user. It should be noted that these manual user selection of hyperlinks to unique web pages or displays are **not** equivalent to "a web page generation script having two or more pre-defined entry points," as described and claimed by the Applicants.

In fact, as discussed above, it appears that the user "selections" described by **Burge** are simply hyperlinks, or the equivalent, which provides direct access to a web page or "display" that may or may not have been previously customized (via the "predictive model") based on past user selections and browsing history. Consequently, as with claim 1, it appears that the Office Action has confused the capability of **Burge** to provide a previously customized display based on a current user selection, possibly as

modified by past user selection history, with the system described and claimed by the Applicants.

Further, as with claim 1, the Office Action again offers col. 9, line 54 to col. 10, line 13, and col. 7, lines 32-37 of the *Burge* reference as teaching the Applicants claimed element of "wherein the at least one web page automatically generated in response to the input passed to one of the web page generation script entry points is unique from web pages automatically generated in response an input passed to any other of the web page generation script entry points."

However, as discussed above with respect to the rejection of claim 1, the cited text clearly describes a system which uses a "predictive model" to generate displays or web pages that are customized in response to the user's predicted likes and dislikes as a function of the user's tracked history. These *previously customized pages* or displays are then provided to the user in response to user selection of a particular option on an existing web page. Again, it should be clear that this is *not* what is being described and claimed by the Applicants.

Clearly, the claimed system is neither disclosed, nor in any way rendered obvious, by the cited *Burge* reference. Consequently, in view of the preceding discussion, it is clear that the present invention, as claimed by independent claim 12 has elements not disclosed in the *Burge* reference. Consequently, the rejection of claim 12 under 35 U.S.C. §102(e) is not proper. Therefore, the Applicant respectfully traverses the rejection of claim 12, and thus of dependent claims 13-17, and respectfully requests reconsideration of the rejection of claim 12, and thus of dependent claims 13-17, under 35 U.S.C. §102(e) in view of the language of claim 12. In particular, claim 12 recites the following novel language:

"At least one web page automatically generated in accordance with the following acts:

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providing a remote server computer in communication with the Internet, the remote server hosting a *dynamic web page generation script having two or more pre-defined entry points* addressable by at least one local client computer;

receiving an input at the remote server from one of the local client computers via the Internet;

automatically *passing the input to one of the web page generation script entry points*;

automatically generating at least one web page in response to the input passed to one of the web page generation script entry points; and

wherein the at least one web page automatically generated in response to the input passed to one of the web page generation script entry points is unique from web pages automatically generated in response an input passed to any other of the web page generation script entry points." (emphasis added)

1.3 Rejection of Claims 18-20:

The Office Action rejected independent claim 18 under 35 U.S.C. §102(e) based on the rationale that the *Burge* reference discloses the Applicant's claimed "computer executable instructions for *dynamically generating at least one web page...*" (emphasis added). However, the Applicants respectively suggest that independent claim 18 is patentably distinct from the cited reference.

Note that the limitations of claim 18 are similar to the limitations of independent claims 1 and 12, with respect to the use of multiple entry points to a web page generation script for automatically generating unique web pages as a function of which entry point is addressed. Therefore, the discussion provided above with respect to claims 1 and 12 also apply to the discussion of the rejection of claim 18, with respect to these limitations.

However, it should also be noted that in rejecting claim 18, the Office Action fails to specifically address the limitations of claim 18 with respect to the use of *multiple entry points to a web page generation script* for automatically generating unique web pages as a function of which entry point is addressed. In fact, it appears that the Office Action does not consider the limitations that were added to claim 18 by way of the Amendment filed by the Applicants that was entered on September 13, 2004. Consequently, as these limitations are not specifically addressed by the Office Action, the rejection of claim 18 is invalid. In any case, as noted above, the patentability of these claimed elements has been addressed above by the Applicants with respect to the rejection of independent claims 1 and 12. Therefore, it should be clear that regardless of the fact that the aforementioned elements are not specifically addressed by the present Office Action with respect to the rejection of claim 18, they are still not taught, or in any way disclosed, by the *Burge* reference.

Clearly, the claimed system is neither disclosed, nor in any way rendered obvious, by the cited *Burge* reference. Consequently, in view of the preceding discussion, it is clear that the present invention, as claimed by independent claim 18 has elements not disclosed in the *Burge* reference. Consequently, the rejection of claim 18 under 35 U.S.C. §102(e) is not proper. Therefore, the Applicants respectfully traverse the rejection of claim 18, and thus of dependent claims 19-20 and respectfully request reconsideration of the rejection of claims 18-20 under 35 U.S.C. §102(e) in view of the language of claim 18. In particular, claim 18 recites the following novel language:

"A computer-readable medium having computer executable instructions for dynamically generating at least one web page, said computer executable instructions comprising:

a dynamic web page generation script capable of accepting parameters passed from an intermediate page used to call the dynamic web page generation script;

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wherein the dynamic web page generation script further comprises at least one encapsulated web-based function which is automatically configured in response to the parameters passed from the intermediate page, and *wherein the dynamic web page generation script also includes a plurality of addressable entry points*;

dynamically generating at least one customized web page in response to the automatic configuration of each encapsulated web-based function, *wherein the appearance and content of each dynamically generated customized web page is dependant upon which entry point is addressed by the intermediate page*; and

transmitting each customized web page from a remote host computer to at least one local client computer via a network." (emphasis added)

CONCLUSION

In view of the above, it is respectfully submitted that claims 1-9 and 12-20 are in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of claims 1-9 and 12-20 and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly invites the Examiner to telephone the Applicant's attorney at (805) 278-8855 if the Examiner has any questions or concerns.

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